IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CWP No.10431 of 2006(O&M)
Date of Decision: 7.11.2006

Ashok Kumar Duggal

Petitioner

versus

State of Punjab and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE PRITAM PAL

Present: Shri Mohan, Jain, Advocate for the petitioner
Shri P.S.Chhina, Additional Advocate General, Punjab
Shri C.M.Sharma, Advocate

Jasbir Singh, J. (Oral)

Written statement filed on behalf of the respondents is taken on record.

Application allowed and replication is taken on record.

This writ petition has been filed to lay challenge to the order Annexure P/5, vide which the petitioner, alongwith one Mukesh Soni, the original lessee, was ordered to be ejected from the demised premises.

When notice of motion was issued on 14.7.2006, following contention of counsel for the petitioner was noticed by this Court:-

> *"Counsel for the petitioner states that even if the petitioner is treated as a sub-lessee, he is entitled to be rehabilitated as per provisions of Scheme (Annexure P/6). Counsel further states that the petitioner is ready to pay the rent as per the Scheme."*

Counsel for the Municipal Council, Phagwara very fairly states that the Council has no objection in regularising tenancy of the petitioner as per the instructions dated 21.7.1988 (Annexure P/6).

In view of fair stand taken, this writ petition is disposed of with liberty to the petitioner to make an application for regularization of his tenancy, subject to payment of the amount due, as may be assessed by the Municipal Council, in terms of Policy Annexure P/6. The petitioner is directed to move an application within a week from today and thereafter, order be passed on that application within a fortnight.

(Jasbir Singh)
Judge

November 07, 2006 **(Pritam Pal)**
gk **Judge**